APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,526	04/20/2001	Dietrich Charisius	30013630-0009	2147

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EXAMINER
WOOD, WILLIAM H

ART UNIT	PAPER NUMBER
2193	

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/839,526	CHARISIUS ET AL.
	Examiner	Art Unit
	William H. Wood	2193

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 September 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-136* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-136* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-136 are pending and have been examined.

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114,

including the fee set forth in 37 CFR 1.17(e), was filed in this application

after final rejection. Since this application is eligible for continued

examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been

withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

18 September 2006 has been entered.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C.

112:

> The specification shall conclude with one or more claims particularly pointing out
> and distinctly claiming the subject matter which the applicant regards as his
> invention.

3.   Claims 18-23 rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim

the subject matter which applicant regards as the invention. Claim 18

recites "reflect a modification of in the source code" in the "providing"

limitation. The "of" should be removed (claims 19-23 are dependent on

claim 18).

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made

in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a
> foreign country or in public use or on sale in this country, more than one year
> prior to the date of application for patent in the United States.

5.   Claims 1-15, 17-32, 34-76, 78- 93 and 95-136 are rejected under

35 U.S.C. 102(b) as being anticipated by **Walton** et al. (USPN 5,883,639).

<u>Claim 1</u>

Walton disclosed a method in a data processing system, comprising the

steps of:

provide a software development tool that is operable by a user to

automatically reflect a modification in the source code to avoid

completely regenerating the source code *(figure 1 and 17)*, wherein the

software development tool is for performing the following steps:

receiving an identification of a data structure with an attribute

field in a database of data structures useable to form an object-oriented

element from the data structure *(figure 1, elements 100 and 110, selected*

components are data structures with attributes in a database, 100; column

8, lines 44-65, object-oriented code development);

determining whether the data structure is associated with source

code *(figure 1, elements 120 and 130, source code developed base on*

object components);

when it is determined that the data structure is associated with

source code, determining whether the attribute, field of the data

structure is associated with an attribute in the source code *(figure 1,*

elements 120 and 130, source code developed base on object components;

column 8, lines 58-62); and

when it is determined that the attribute field is not associated with

an attribute in the source code, generating a new attribute in the source

code from the attribute field *(figure 1, elements 120 and 130, source code*

developed base on object components); and

operating the software development tool to modify the source code

(figure 1, elements 120 and 130, source code developed base on object

components).

Claim 2

Walton disclosed the method of claim 1, further comprising the steps of:

when it is determined that the data structure is not associated with

source code, retrieving a portion of the data structure; and generating

the source code from the portion of the data structure *(column 8, lines*

54-62; figure 1, elements 120 and 130; producing code from

library/database of components).

Claim 3

Walton disclosed the method of claim 1, further comprising the steps of:

when it is determined that the data structure is associated with

source code, determining whether a second attribute in the source code

is associated with a second attribute field in the data structure *(figure 1,*

multiple components; figure 17); and

when it is determined that a second attribute in the source code is

not associated with a second attribute field in the data structure,

removing the second attribute from the source code *(column 9, lines 13-*

15, "delete" components and thus code).

Claim 4

Walton disclosed the method of claim 3, wherein the step of removing

the second attribute from the source code comprises the step of removing

a method associated with the second attribute from the source code

(column 9, lines 13-15, "delete" components and thus code, including

associated methods).

<u>Claim 5</u>

Walton disclosed the method of claim 3, further comprising the step of displaying a graphical representation of the source code *(figure 1, elements 110, 120 and 130)*.

<u>Claim 6</u>

Walton disclosed the method of claim 5, further comprising the step of modifying the graphical representation of the source code to reflect the generation of the new attribute *(column 9, lines 13-15, "create" components and thus code)*.

<u>Claim 7</u>

Walton disclosed the method of claim 5, further comprising the step of modifying the graphical representation of the source code to reflect the removal of the second attribute *(column 9, lines 13-15, "delete" components and thus code)*.

<u>Claim 8</u>

Walton disclosed the method of claim 1, wherein the step of determining whether the

data structure is associated with the source code comprises the step of
searching a comment in the source code for the identification of the data
structure *(figure 2, note comments)*.

Claim 9

Walton disclosed the method of claim 1, wherein the step of determining
whether the data structure is associated with the source code comprises
the step of comparing a name for the source code with the identification
of the data structure *(figure 2, note comments)*.

Claim 10

Walton disclosed the method of claim 1, further comprising the steps of:
retrieving access information for the database; and retrieving a portion of
the data structure from the database using the access information *(figure
1, element 100 and 130)*.

Claim 11

Walton disclosed the method of claim 10, wherein the step of retrieving
the access information comprises the step of retrieving the identification
of the data structure and the access information from a configuration file
(figure 1, element 100 and 130).

Claim 12

Walton disclosed the method of claim 10, wherein the step of retrieving

the access information comprises the step of retrieving the identification

of the data structure and the access information from a comment of the

source code *(figure 1, "include" statement also performs a commenting*

function).

Claim 13

Walton disclosed the method of claim 10, wherein the portion of the data

structure comprises the attribute field of the data structure *(figure 1,*

elements 100 and 110, selecting and manipulating components).

Claim 14

Walton disclosed the method of claim 1, wherein the source code

comprises a class *(column 8, lines 54-56)*.

Claim 15

Walton disclosed the method of claim 1, wherein the source code

comprises a distributed computing component *(column 8, lines 54-56;*

distributed as far as from a database).

Claim 17

Walton disclosed the method of claim 1, wherein the step of generating the new attribute in the source code comprises the step of generating a method in the source code to access the attribute field of the data structure *(column 8, lines 54-56, "connected to other objects").*

Claims 18-32, 34-76, 78- 93 and 95-136

The limitations of claims 18-76 and 78-136 correspond to the limitations found in method claims 1-17 and are rejected in the same manner.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 16, 33, 77 and 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Walton** et al. (USPN 5,883,639).

Claims 16, 33, 77 and 94

Walton did not explicitly state the method of claim 15, wherein the distributed computing component is an Enterprise JavaBean.TM.

Official Notice is taken that it was known at the time of invention to

make use of JavaBean components. It would have been obvious to one

of ordinary skill in the art at the time of invention to implement the

components of **Walton** with including Enterprise JavaBean components.

This implementation would have been obvious because one of ordinary

skill in the art would be motivated to make use of all components on the

market in-order to reach the largest available clientele.

Response to Arguments

8.   Applicant's arguments with respect to claims 1-136 have been

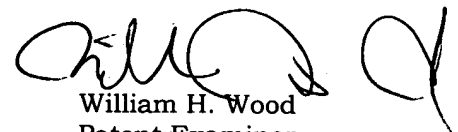considered but are moot in view of the new ground(s) of rejection.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Wood whose telephone number is (571)-272-3736. The examiner can normally be reached 10:00am - 4:00pm Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)-272-3756. The fax phone numbers for the organization where this application or proceeding is assigned are (571)273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained form either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR systems, see http://pair-direct.uspto.gov. For questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

William H. Wood
Patent Examiner
AU 2193
November 22, 2006